

May 3, 1976
Resolutions Book 11 - Page 401

A RESOLUTION PROVIDING FOR PUBLIC
HEARINGS ON PETITIONS FOR ZONING CHANGES

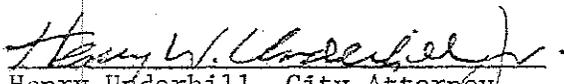
WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 76-47 through 76-54 are on record in the Office of the City Clerk, and

WHEREAS, the City Council deems it in the public interest that hearings be held on said petitions,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that public hearings will be held in the Council Chamber on the Second Floor of the Charlotte City Hall beginning at 2:30 o'clock P. M. on Monday, the 24th day of May, 1976 on petitions for zoning changes numbered 76-47 through 76-54.

BE IT FURTHER RESOLVED that notice of said hearings be published as required by law.

APPROVED AS TO FORM:


Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 3rd day of May, 1976, the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11, at Page 401.

Ruth Armstrong
City Clerk

May 3, 1976

Resolutions Book 11 - Page 402

RESOLUTION DECLARING AN INTENT TO CLOSE PORTION OF
EAST 8TH STREET
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH
CAROLINA, AND CALLING A PUBLIC HEARING ON THE QUESTION

WHEREAS, the Community Development Department of the City of Charlotte, by and through its Director, has requested the City to vacate and close that certain portion of East 8th Street, in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown on Boundary Survey entitled "First Ward Urban Renewal Area, Project N. C. R-79, Street Abandonment of East 8th Street" prepared by Giddings & Associates dated March 11, 1976, a copy of which is available for inspection in the Office of the City Clerk in the City Hall at Charlotte, North Carolina; said portion of said street being more particularly described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the procedure for closing streets and public alleys as outlined in Chapter 160A, Section 299 of the General Statutes of North Carolina requires that Council first adopt a resolution declaring its intent to close the street or public alley and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for four successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street or public alley as shown on the County tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said streets or public alley; and

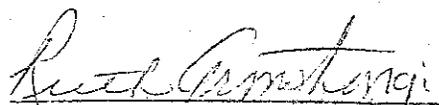
WHEREAS, the City of Charlotte is desirous of complying with the Petitioner's request.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of May 3, 1976, that it intends to close that certain portion of East 8th Street in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown on Boundary Survey entitled "First Ward Urban Renewal Area, Project N.C. R-79, Street Abandonment of East 8th Street," prepared by Giddings & Associates dated March 11, 1976, a copy of which is available for inspection in the Office of the City Clerk in the City Hall of Charlotte, North Carolina, said portion of said street being more particularly described in Exhibit "A" hereto attached and made a part hereof, and hereby calls a public hearing on the question to be held at 3:00 P.M. on Monday, the 31st day of May, 1976, in the Council Chamber of the City Hall. The City Clerk is hereby directed to publish a copy of this resolution in The Charlotte News once a week for four successive weeks next preceding the date fixed here for such hearing as required by the provisions of Chapter 160A, Section 299 of the General Statutes of North Carolina; and further, the Petitioner is directed to send by registered or certified mail a copy of this resolution to all owners of property adjoining the said portion of the street or public alley as shown on the County tax records as required by said Statute. The Petitioner is hereby directed to prominently post a notice of the closing and public hearing in at least two places along the said portion of the street or public alley, as required by said Statute.

C E R T I F I C A T I O N

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 3rd day of May, 1976, and the reference having been made in Minute Book 63, and is recorded in full in Resolutions Book 11, at Page 402.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of May, 1976.


Ruth Armstrong, City Clerk.

May 3, 1976
Resolutions Book 11 - Page 403

A

EIGHTH STREET ABANDONMENT

The intent of this instrument is to abandon a portion of 8th Street which is southeast of McDowell Street and northwest of the Independence Boulevard Expressway. Beginning at a point on the proposed southeast right-of-way of McDowell Street and N $50^{\circ}-03'-52''$ E 364.76 feet from the northeast right-of-way of 7th Street; thence from said point of beginning following the old right-of-way lines of 8th Street S $43^{\circ}-08'-35''$ E 223.65 feet; thence N $47^{\circ}-01'-00''$ E 50.00 feet; thence N $43^{\circ}-08'-35''$ W 221.02 feet to a point in the proposed southeast right-of-way of McDowell Street; thence following said right-of-way S $50^{\circ}-03'-52''$ W 50.08 feet to the beginning. Containing 11.117 square feet or 0.26 acres.

RESOLUTION DECLARING AN INTENT TO CLOSE PORTIONS OF
CANTON STREET, JOHNSON STREET, McCALL STREET, LIDDELL STREET,
FONTANA STREET and CRAVEN LANE
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH
CAROLINA, AND CALLING A PUBLIC HEARING ON THE QUESTION

WHEREAS, the City of Charlotte entered into an agreement with the Redevelopment Commission of the City of Charlotte dated the 31st day of August, 1970, revised June 15, 1971, with respect to the Redevelopment Area Plan for Redevelopment Project No. N.C. R-78, Greenville; and

WHEREAS, Section III of that agreement provides that the City will, at no cost or expense to the Redevelopment Commission of the City of Charlotte, and upon the request of the Redevelopment Commission of the City of Charlotte, vacate the streets, roads, alleys and other public ways to be eliminated in preparing the Project Area for its new uses, as shown in the Redevelopment Area Plan; and

WHEREAS, by Resolution effective May 1, 1973, the City of Charlotte abolished the Redevelopment Commission of the City of Charlotte and created in place thereof the Urban Redevelopment Department of the City of Charlotte, said Resolution reciting that the Urban Redevelopment Department was established for the purpose of exercising the powers, duties, and responsibilities heretofore exercised by the Redevelopment Commission of the City of Charlotte; and

WHEREAS, by Resolution of the City Council of the City of Charlotte passed on the 12th day of May, 1975, effective May 12, 1975, the Urban Redevelopment Department of the City of Charlotte was abolished and there was established in place thereof the Community Development Department of the City of Charlotte which succeeded to all of the powers and duties formerly exercised by the Urban Redevelopment Department of the City of Charlotte; and

WHEREAS, the Community Development Department of the City of Charlotte, by and through its Director, has requested the City to vacate and close those certain portions of Canton Street, Johnson Street, McCall Street, Liddell Street, Fontana Street and Craven Lane in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown on Map of Redevelopment Commission of the City of Charlotte, Greenville Urban Renewal Area, Project No. N. C. R-78, entitled "Abandonment of Existing City Streets Right of Way" prepared by Wilbur Smith and Associates, Inc. - Design dated August 5, 1975, copies of which are available for inspection in the Office of the City Clerk in the City Hall at Charlotte, North Carolina; said portions of said streets being more particularly described in Exhibits "A-1 through A-6" attached hereto and made a part hereof; and

WHEREAS, the procedure for closing streets and public alleys as outlined in Chapter 160A, Section 299 of the General Statutes of North Carolina requires that Council first adopt a resolution declaring its intent to close the street or public alley and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for four successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street or public alley as shown on the County tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said streets or public alley; and

WHEREAS, the City of Charlotte is desirous of complying with the Petitioner's request.

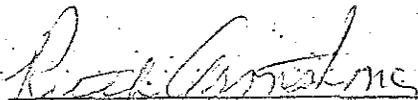
NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of May 3, 1976, that it intends to close those certain portions of Canton Street, Johnson Street, McCall Street, Liddell Street, Fontana Street and Craven Lane in the City of Charlotte, Mecklenburg

County, North Carolina, as same is shown on Map of Redevelopment Commission of the City of Charlotte, Greenville Urban Renewal Area, Project No. N. C. R-78 entitled "Abandonment of Existing City Streets Right of Way" prepared by Wilbur Smith and Associates, Inc. - Design dated August 5, 1975, copies of which are available for inspection in the Office of the City Clerk in the City Hall at Charlotte, North Carolina, said portions of said streets being more particularly described in Exhibits "A-1 through A-6" hereto attached and made a part hereof, and hereby calls a public hearing on the question to be held at 3 P. M., on Monday the 31st day of May, 1976, in the Council Chamber of the City Hall. The City Clerk is hereby directed to publish a copy of this resolution in The Charlotte News once a week for four successive weeks next preceding the date fixed here for such hearing as required by the provisions of Chapter 160A, Section 299 of the General Statutes of North Carolina; and further, the Petitioner is directed to send by registered or certified mail a copy of this resolution to all owners of property adjoining the said portion of the streets or public alley as shown on the county tax records as required by said Statute. The Petitioner is hereby directed to prominently post a notice of the closing and public hearing in at least two places along the said portion of the streets or public alley, as required by said Statute.

C E R T I F I C A T I O N

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 3rd day of May, 1976, and reference having been made in Minute Book 63, beginning at Page , and ending at Page , and is recorded in full in Resolution Book 11.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of May, 1976.



City Clerk of the City of Charlotte

May 3, 1976

Resolutions Book 11 - Page 406

Rec'd. By: 

AUG 18 1975

Original To:

Copies To:

GREENVILLE URBAN RENEWAL AREA

PROJECT NO. N.C. R-78

ABANDONMENT OF A PORTION OF THE EXISTING STREET RIGHT-OF-WAY

A parcel of land in Charlotte Township, Mecklenburg County, State of North Carolina, located in Greenville Urban Renewal Area, Project No. N.C. R-78, shown as Abandonment of Existing City Streets Right-of-Way on a plat prepared by Wilbur Smith and Associates, Inc. - DESIGN, dated August 5, 1975, and being more particularly described as follows:

1. CANTON STREET--Between Kendrick and Johnson A-1

Beginning at the point of intersection of the east right-of-way line of Kendrick Street and the north right-of-way line of Canton Street; thence along the north right-of-way line of Canton Street, S $56^{\circ}25'59''$ E, 490.61 feet to the point of intersection of said north right-of-way line of Canton Street with the west right-of-way line of Johnson Street; thence across the Canton Street, S $34^{\circ}18'42''$ W, 30.00 feet to the point of intersection of the west right-of-way line of Johnson Street with the south right-of-way line of Canton Street; thence along the south right-of-way line of Canton Street, N $56^{\circ}25'59''$ W, 490.90 feet to the point of intersection of said south right-of-way line of Canton Street with the east right-of-way line of Kendrick Street; thence across Canton Street, N $34^{\circ}51'02''$ E, 30.00 feet to the point of beginning and containing 14,723 square feet.

2. JOHNSON STREET--From Canton to Mavis A-2

Beginning at the point of intersection of the north right-of-way line of Canton Street and the west right-of-way line of Johnson Street; thence across Johnson Street, S $56^{\circ}25'59''$ E, 30.00 feet to a point on the east right-of-way line of Johnson Street; thence along the east right-of-way line of Johnson Street, S $35^{\circ}11'18''$ W,

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52.80 feet to the point of intersection of said east right-of-way line of Johnson Street with the north right-of-way line of Vogel Street; thence across Vogel Street, S $42^{\circ}41'02''$ W, 36.50 feet to the point of intersection of the south right-of-way line of Vogel Street with the east right-of-way line of Johnson Street; thence along the east right-of-way line of Johnson Street, S $33^{\circ}33'09''$ W, 218.84 feet to a point on the east right-of-way line of Johnson Street; thence across Johnson Street, N $55^{\circ}32'05''$ W, 26.79 feet to a point on the west right-of-way line of Johnson Street; thence along the west right-of-way line of Johnson Street, N $34^{\circ}18'42''$ E, 277.25 feet to the point of intersection of said west right-of-way line of Johnson Street with the south right-of-way line of Canton Street; thence across Canton Street, N $34^{\circ}18'42''$ E, 30.00 feet to the point of beginning and containing 8,059 square feet.

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GREENVILLE URBAN RENEWAL AREA

PROJECT NO. N.C. R-78

Rec'd. By: <u>SD</u>
AUG 18 1975
Original To: _____
Copies To: _____

ABANDONMENT OF A PORTION OF THE EXISTING STREET RIGHT-OF-WAY

A parcel of land in Charlotte Township, Mecklenburg County, State of North Carolina, located in Greenville Urban Renewal Area, Project No. N.C. R-78, shown as Abandonment of Existing City Streets Right-of-Way on a plat prepared by Wilbur Smith and Associates, Inc. DESIGN, dated August 5, 1975 and being more particularly described as follows:

1. MC CALL STREET--From Southern R.R. to a point south of Liddell Street A-3

Beginning at the point of intersection of the south right-of-way line of Southern R.R. and the east right-of-way line of McCall Street; thence along the east right-of-way line of McCall Street, S 20°52'15" E, 276.82 feet to a point on the east right-of-way line of McCall Street; thence along the east right-of-way line of McCall Street, S 5°15'25" W, 74.56 feet to a point on the east right-of-way line of McCall Street; thence along the east right-of-way line of McCall Street, S19°17'02" W, 507.87 feet to a point on the east right-of-way line of McCall Street; thence across McCall Street, N 70°42'58" W 40.00 feet to a point on the west right-of-way line of McCall Street; thence along the west right-of-way line of McCall Street, N 19°17'02" E, 544.17 feet to a point on the west right-of-way line of McCall Street; thence along the west right-of-way line of McCall Street, N 20°52'14" W, 275.74 feet to the intersection of said west right-of-way line of McCall Street with the south right-of-way line of Southern R.R.; thence across McCall Street N 49°12'48" E, 42.54 feet to the point of beginning and containing 33,211 square feet.

2. LIDDELL STREET--Between McCall and Statesville A-4

Beginning at the point of intersection of the east right-of-way line of McCall Street and the north right-of-way line of Liddell Street; thence along the north right-of-way line of Liddell Street,

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S 67°51'45" E, 380.14 feet to the point of intersection of said north right-of-way line of Liddell Street with the west right-of-way line of Statesville Avenue; thence across Liddell Street, S 12°43'28" E, 47.67 feet to the point of intersection of the west right-of-way line of Graham Street with the south right-of-way line of Liddell Street; thence along the south right-of-way line of Liddell Street, N 67°24'37" W, 195.77 feet to a point on the south right-of-way line of Liddell Street; thence along the south right-of-way line of Liddell Street, N 29°54'33" E, 2.60 feet to a point on the south right-of-way line of Liddell Street; thence along the south right-of-way line of Liddell Street, N 67°51'45" W, 210.24 feet to the point of intersection of said south right-of-way line of Liddell Street with the east right-of-way line of McCall Street; thence across Liddell Street, N 19°17'02" E, 35.04 feet to the point of beginning and containing 14,350 square feet.

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REC'D BY:	AUG 18 1975
Original To:	
Copies To:	

GREENVILLE URBAN RENEWAL AREA

PROJECT NO. N.C. R-78

ABANDONMENT OF A PORTION OF THE EXISTING STREET RIGHT-OF-WAY

A parcel of land in Charlotte Township, Mecklenburg County, State of North Carolina, located in Greenville Urban Renewal Area, Project No. N.C. R-78, shown as Abandonment of Existing City Streets Right-of-Way on a plat prepared by Wilbur Smith and Associates, Inc. - DESIGN, dated August 5, 1975, and being more particularly described as follows:

1. A PORTION OF FONTANA STREET--West of Craven Lane *A-5*

Beginning at the point of intersection of the west right-of-way line of Craven Lane and the north right-of-way line of Fontana Street; thence across Fontana Street, S $67^{\circ}53'29''$ E, 13.61 feet to the point of intersection of the east right-of-way line of Craven Lane with the north right-of-way line of Fontana Street; thence across Fontana Street, S $26^{\circ}00'04''$ W, 30.07 feet to the point of intersection of the south right-of-way line of Fontana Street with the east right-of-way line of Craven Lane; thence across Craven Lane, N $67^{\circ}53'20''$ W, 12.87 feet to the point of intersection of the west right-of-way line of Craven Lane with the south right-of-way line of Fontana Street; thence along the south right-of-way line of Fontana Street, N $67^{\circ}53'20''$ W, 78.71 feet to a point on the south right-of-way line of Fontana Street; thence across Fontana Street, N $22^{\circ}06'40''$ E, 30.00 feet to a point on the north right-of-way line of Fontana Street; thence along the north right-of-way line of Fontana Street, S $67^{\circ}53'20''$ E, 80.00 feet to the point of beginning and containing 2,778 square feet.

2. CRAVEN LANE--Between Oaklawn Avenue and Fontana Street *A-6*

Beginning at the point of intersection of the north right-of-way line of Fontana Street and the west right-of-way line of Craven Lane;

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thence along the west right-of-way line of Craven Lane, N 24°33'16" E, 217.65 feet to the point of intersection of said west right-of-way line of Craven Lane with the south right-of-way line of Oaklawn Avenue; thence across Craven Lane, S 68°21'59" E, 13.64 feet to the point of intersection of the south right-of-way line of Oaklawn Avenue with the east right-of-way line of Craven Lane; thence along the east right-of-way line of Craven Lane, S 24°33'38" W, 217.76 feet to the point of intersection of said east right-of-way line of Craven Lane with the north right-of-way line of Fontana Street; thence across Craven Lane, S 67°53'29" E, 13.61 feet to the point of beginning and containing 2,963 square feet.

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A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO BERKSHIRE REALTY CORPORATION, A NORTH CAROLINA CORPORATION AND SPARTAN FOOD SYSTEMS, INC., A SOUTH CAROLINA CORPORATION, LESSEE, LOCATED AT 4421 RANDOLPH ROAD IN THE CITY OF CHARLOTTE FOR THE RANDOLPH ROAD WIDENING PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Berkshire Realty Corporation, a North Carolina Corporation and Spartan Food Systems, Inc., a South Carolina Corporation, Lessee, located at 4421 Randolph Road in the City of Charlotte, for right of way purposes and a temporary construction easement in connection with the Randolph Road Widening Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Berkshire Realty Corporation, a North Carolina Corporation and Spartan Food Systems, Inc., a South Carolina Corporation, Lessee, located at 4421 Randolph Road in the City of Charlotte, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$12,000.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Wadsworth Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 3rd day of May, 1976, and the reference having been made in Minute Book 63, page _____, and recorded in full in Resolutions Book 11 . page 412 .

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of May, 1976.

Ruth Armstrong
Ruth Armstrong, City Clerk

May 3, 1976
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A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH SOUTHERN RAILWAY COMPANY FOR SANITARY SEWER TO SERVE CHASTAIN AVENUE AND MINUET PLANE AREA - 1 of 3 - 516-75-255

BE IT RESOLVED by the City Council of the City of Charlotte, that the Mayor and City Clerk are hereby authorized to execute an Encroachment Agreement with the Southern Railway Company for the construction of an 8 inch gravity flow sanitary sewer pipe line crossing beneath the railroad's right of way and tracks at a point 125 feet south of Mile Post #4 near Charlotte, North Carolina. The City is to pay Fifty Dollars (\$50.00) to the railroad for administrative cost.

Approved as to form:

Stewart L. Landis Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk for the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in a regular session convened on the 3rd day of May, the reference having been made in Minute Book 63, page , and recorded in full in Resolutions Book 11, page 413.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of May.

Ruth Armstrong
City Clerk

MC/ECL/jgr

May 3, 1976

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A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH SOUTHERN RAILWAY COMPANY FOR SANITARY SEWER TO SERVE CHASTAIN AVENUE AND MINUET LANE AREA - 2 of 3 - 516-75-255

BE IT RESOLVED by the City Council of the City of Charlotte, that the Mayor and City Clerk are hereby authorized to execute an Encroachment Agreement with the Southern Railway Company for the construction of an 8 inch gravity flow sanitary sewer pipe line crossing beneath the railroad's right of way and tracks 195 feet south of Mile Post #4 near Charlotte, North Carolina. The City is to pay Fifty Dollars (\$50.00) to the railroad for administrative cost.

Approved as to form:

Harry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk for the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in a regular session convened on the 3rd day of May, the reference having been made in Minute Book 63, page _____, and recorded in full in Resolutions Book 11, page 414.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of May.

Ruth Armstrong
City Clerk

BEC/ECL/jgr

May 3, 1976
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A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH SOUTHERN RAILWAY COMPANY FOR SANITARY SEWER TO SERVE CHASTAIN AVENUE AND MINUET LANE AREA - 3 of 3 - 516-75-255

BE IT RESOLVED by the City Council of the City of Charlotte, that the Mayor and City Clerk are hereby authorized to execute an Encroachment Agreement with the Southern Railway Company for the construction of an 8 inch gravity flow sanitary sewer pipe line crossing beneath the railroad's right of way and tracks 2,257 feet north of Mile Post #4 near Charlotte, North Carolina. The City is to pay Fifty Dollars (\$50.00) to the railroad for administrative cost.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk for the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in a regular session convened on the 3rd day of May, the reference having been made in Minute Book 63, page _____, and recorded in full in Resolutions Book 11, page 415.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of May.

Ruth Armstrong
City Clerk

BEC/ECL/igr

416

May 3, 1976
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A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH SOUTHERN RAILWAY COMPANY FOR SANITARY SEWER TO SERVE CHASTAIN AVENUE AND MINUET LANE AREA - 1 of 1 - 516-75-255

BE IT RESOLVED by the City Council of the City of Charlotte, that the Mayor and City Clerk are hereby authorized to execute an Encroachment Agreement with the Southern Railway Company for the construction of an 8 inch gravity flow sanitary sewer pipe line crossing beneath the railroad's right of way and track. Said track being identified as spur track 5-4 from Southern Railway's crossline to Woodlawn Green Substation near Charlotte, North Carolina. The City is to pay Fifty Dollars (\$50.00) to the railroad for administrative cost.

Approved as to form:

Herbert C. Underhill
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk for the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in a regular session convened on the 3rd day of May, the reference having been made in Minute Book 63, page , and recorded in full in Resolutions Book 11, page 416.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of May.

Ruth Armstrong
City Clerk

BEG/ECL/jgr

May 3, 1976

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
APPROVING EXCHANGE OF PROPERTY BETWEEN THE CITY OF CHARLOTTE
AND THE OWNERS OF TYSON'S GROCERY, INC.

417

WHEREAS, the City Council of the City of Charlotte has approved a project to widen Remount Road in the City of Charlotte; and

WHEREAS, Tyson's Grocery, Inc. owns property on Remount Road, designated as Parcel No. 39 on the plat attached hereto as Exhibit No. 1 prepared by the Department of Public Works, Engineering Division, entitled "Remount Road Property of Tyson's Grocery, Inc., Sheet 39 of 58, June, 1974", 1,828 square feet of which property will be required by the City of Charlotte for street right-of-way for the widening of Remount Road, together with a temporary construction easement for said widening; and

WHEREAS, the City owns land adjacent to the property of Tyson's Grocery, Inc. referred to above and designated as Parcel No. 40 on the plat attached hereto as Exhibit No. 2 prepared by the Department of Public Works, Engineering Division, entitled "Remount Road Property of Mildred P. Aldridge and Elvert P. Phillips, Sheet 40 of 58, June, 1974", a portion of which parcel is not required for the Remount Road Widening Project; and

WHEREAS, negotiation with Tyson's Grocery, Inc. has disclosed that the owners are willing to and have executed an option and purchase agreement whereby they will convey to the City of Charlotte 1,828 square feet of Parcel No. 39 needed for right-of-way for the widening of Remount Road, further described above and in Exhibit No. 1 hereto and will grant a temporary construction easement shown on said plat in exchange for the residual portion of Parcel No. 40, consisting of 5,215 square feet of land and subject to the temporary construction easement, both of which are depicted on the plat attached hereto as Exhibit No. 2; and

WHEREAS, a further consideration for the exchange of the land is that the exchange will avoid a condemnation action and the unnecessary increase in the cost and delay of the Project involved in the relocation of Tyson's Grocery, Inc.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte hereby:

1. Finds that the City of Charlotte will receive a full and fair consideration in exchanging the residue of Parcel No. 40, consisting of 5,215 square feet of land for 1,828 square feet of land in Parcel No. 39 needed for street right-of-way for the widening of Remount Road, as depicted on the plats attached hereto as Exhibits Nos. 1 and 2; and
2. Approves the exchange of the residue of land in Parcel No. 40, owned by the City of Charlotte and consisting of 5,215 square feet of land subject to a temporary construction easement as depicted on the plat attached hereto as Exhibit No. 2 for a portion of land in Parcel No. 39 owned by Tyson's Grocery, Inc. consisting of 1,828 square feet of land as depicted on the plat attached hereto as Exhibit No. 1, together with the grant to the City of Charlotte of a temporary construction easement as shown thereon.

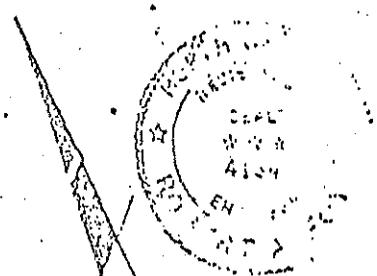
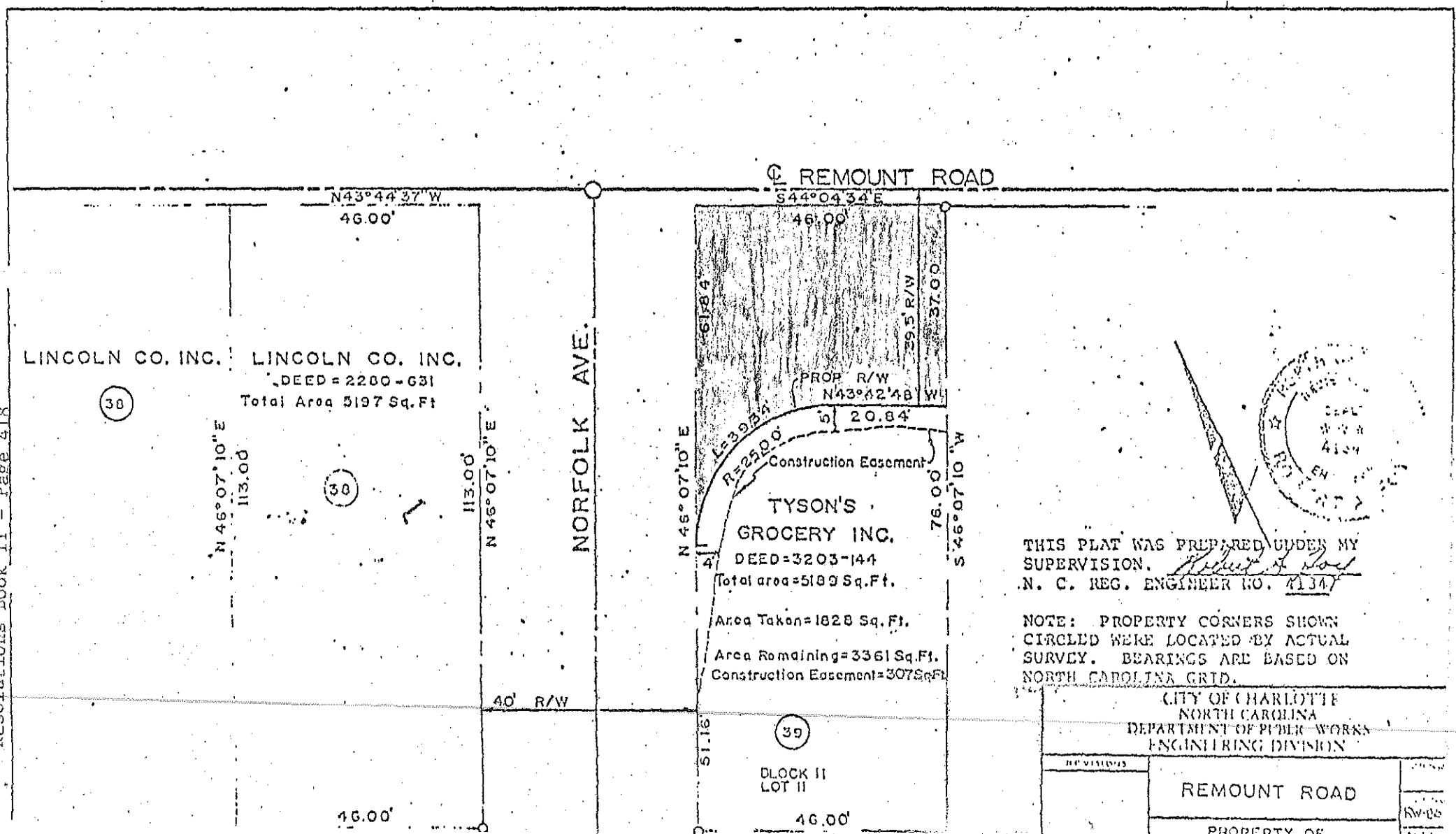
Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 3rd day of May, 1976, the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11, at Page 417.

Ruth Armstrong, City Clerk

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Exhibit No. 1



THIS PLAT WAS PREPARED UNDER MY SUPERVISION.
Robert A. Post
 N. C. REG. ENGINEER NO. 41347

NOTE: PROPERTY CORNERS SHOWN CIRCLED WERE LOCATED BY ACTUAL SURVEY. BEARINGS ARE BASED ON NORTH CAROLINA GRID.

CITY OF CHARLOTTE NORTH CAROLINA DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION	
REVISIONS	DATE
REMOUNT ROAD	
PROPERTY OF	

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Exhibit No. 2

